

a witness, I had no intimation that it was claimed I was implicated in any way, and I did not feel it my duty to sacrifice public business, but the moment I was advised I was being attacked personally, I concluded that I was justified in sacrificing public business and everything else to go and defend my character against the assault that I knew to be without any foundation whatever."

Representative Hermann referred to his career as Commissioner of the General Land Office, and, stating that enemies are trying to involve him before the grand jury at Portland, said:

"No act was ever done by me as commissioner that was not believed conscientiously right and in strict accordance with law. I was necessarily compelled to rely upon the reports and recommendations of many subordinate officers. If any of these reports or recommendations were erroneous or false, I had no knowledge of the same."

"Persons guilty of defrauding the government of any portion of its domain should be prosecuted and severely dealt with, and I shall be only too glad to render the government any aid within the power of that court."

"I feel that now is the time that I can be spared from official duties here, and it is my duty to go to Portland and ascertain upon what basis the reflections upon me rest."

HYDE AND BENSON CASES.

[BY DIRECT WIRE TO THE TIMES.]

WASHINGTON, Dec. 19.—[Exclusive Dispatch.] The Supreme Court today advanced for hearing Friday, Dec. 20, the cases of Hyde, Elmwood and Benson, on appeal from the California and New York courts. They appealed from the judgment of the lower courts, denying them writs of habeas corpus. The Supreme Court apparently accepts the contention of the Solicitor-General that these appeals are intended merely to delay trial in Washington for land frauds, for which the parties were indicted, and the advanced hearing is in order to expedite the trial.

HYDE BE DENIED HEARING.

[BY THE ASSOCIATED PRESS—P.M.]

PORLTAND (Or.) Dec. 19.—It appears that there is considerable doubt whether United States Senator John H. Mitchell and Congressman Binger Hermann, who now have on their way from Washington, D. C., to ask the privilege of appearing before the Federal grand jury in their own behalf, will be granted their wish. It is said on good authority that these gentlemen will not be allowed to go before the grand jury unless that body believes that they have evidence necessary for the jury to know.

In charging the jury today, Judge Bellinger stated that if persons connected with the testimony were to ask to appear in their own behalf, he recommended that their request be granted, but he specifically stated that this is not a legal right of such persons. He added that it would be proper for the jury to allow them to appear, if the jury saw fit to do so. In any case, it is the opinion that under no circumstances will Mr. Mitchell and Mr. Hermann, in the event of their being allowed in the jury room, be permitted to tell their story according to their individual desires. They will be subjected to the same rule of procedure as prevailed in the cases of the other witnesses.

AFTERNOON SESSION.

[BY THE ASSOCIATED PRESS—P.M.]

WASHINGTON Dec. 19.—At the afternoon session, Mr. Birdsell was cross-examined. He said he severed his connection with the Mormon church at the time his daughter was offered rebaptism, if she would convey her property to Leavitt, but could not give the date.

William Budge of Paris, Idaho, was recalled by counsel for Smoot. He said that, as a "bishop" of the Mormon church, he had entered into a compact involving the title of land, for the reason that presidents of the church have given instructions that bishops and presidents of stakes could not hear such cases.

Apostle Smith was recalled and questioned by Chairman Burrows concerning the immigration from foreign countries. He admitted that from one-third to one-half of the converts to the church came from Europe. The emigrants, he said, are usually placed in charge of an experienced man and brought to America to work with the foreign missionaries do business. There are about four salaried agents.

To Taylor, he said he was present at the meeting at which Pomeroy was elected an apostle. The fact that Pomeroy was a polygamist was not mentioned or thought of, and he added: "The question does not enter into the election. It is entered in the country that the people must obey the laws of the land."

"Do you?" asked Taylor.

"But you have not succeeded very well?" asked Chairman Burrows.

"Well, not so far," replied Smith.

Apostle Smith was then discharged. He was succeeded by the editor of the Boise (Idaho) Statesman, and formerly connected with the Salt Lake Times, testified in regard to the political conditions in Utah about the time the "Wooden" manifesto, and in Idaho after 1891. Asked concerning the passage of a resolution calling a constitutional convention, which was voted on, he said, he was told that the purpose of repealing the Idaho test, he said that during the session of the Legislature, Apostle Smith asked him if he thought that the test could be repealed. An amendment could be made to the Constitution to eliminate that portion "so distasteful to his people." Shortly afterward the resolution was passed by the House and Senate with out come.

The witness said that polygamists living in Idaho have increased despite the fact that there have been no plural marriages within the state. He said that up to the time of the campaign both political parties in Idaho were disposed to go to Salt Lake to get a straight tip as to which would get the most votes.

Taylor asked if they got this tip, and received the response: "Yes, but they never knew whether it was straight." It was brought out by Taylor that the Idaho test—General is reputed to have taken a plural wife within the last two or three years.

A. C. Nelson of Salt Lake, State Superintendent of Public Instruction and a Mormon, said he is now making an investigation of the extent in which religious classes are maintained in the schools.

Answers have been received, he said, from the county superintendents, except three. Classes are held in about 300 buildings. These classes are assembled after the adjournment of the regular school day, which varies from 2:30 to 4:30 p.m.

Mr. Nelson read a letter which he had sent to all school superintendents calling attention to a statute prohib-

iting sectarian teaching in the public schools. So far as he had information, Nelson said that the school teachers usually taught the religious classes.

On cross-examination Nelson was asked if Senator Smoot had been advised that he had said there had been a certain political ticket should be supported.

Apostle Smith admitted taking an active part in bringing about the repeal of the Territorial test oath, which was to have been taken by all persons from voting. He said he had made political speeches in Idaho in 1902.

Attorney Taylor, for the protestants, asked if Apostle Smith considered his knowledge of the legal marriage of Apostle Cannon and Lillian Hamlin, charged by witnesses to have been performed by Joseph Smith on the high seas near Los Angeles in 1892.

The witness said he went to President Smith and asked him if he had performed such a ceremony, and the president said he had not. He admitted that if the president of the church had wanted to put a ceremonial of that kind he would be able to do so.

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The hearing was adjourned until tomorrow.

MISSOURI-NEBRASKA CASE.

BOUNDARY DISPUTE SETTLED.

[BY THE ASSOCIATED PRESS—A.M.]

WASHINGTON, Dec. 19.—The Supreme Court of the United States today decided the boundary case between the States of Missouri and Nebraska in favor of the State of Nebraska. The case involved the question as to whether a change of the course of the Missouri River has the effect of changing the boundary line of the two states.

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Chairman Burrows drew from the witness some statistics relating to the church, but no record was taken of the subject. Smith said there was much contention between members of the church on the subject of the legality of plural marriages and their polygamy.

Apostle Smith said that the suspension of the practice of polygamy was the result of a revelation, and that it would take another revelation to put it in force.

He said that it would be proper for the president of the church to receive a revelation?"

"Not unless the people should receive it. Nothing is forced on the Mormon people."

Isaac Birdsell, formerly a Mormon, now living at Elsinore, Utah, was examined concerning a civil trial in a land case, in which he and his daughter had been sued by the church. The case was heard in the bishop's court of Monroe Ward in Utah, where Birdsell and his daughter were charged with unchristianlike conduct. James E. Leavitt, attorney for the church, said he believed the girl to be a polygamist.

He said that it would be proper for the jury to allow them to appear to receive a revelation?"

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SCHOLARSHIP, NOT DEAD PAST.

City Institute Lecturers Have Strong Opinions.

Kepell Would Call in Babies and Save Race.

Likewise Demands Free Text Books for All.

The State Normal auditorium was filled to the last seat at the opening of the City Teachers' Institute yesterday morning. There are in the city of Los Angeles 778 teachers and only 61 of them are men; it is not strange, therefore, that when a speaker stepped upon the platform and began his address, he said "Ladies" put in a long dash, then added, "and gentlemen." The male portion of the audience served as a fringe around the edge, much as a woman's veil about her face, when she pushes it up to get square look at a man.

They were all happy-faced teachers—really. They had shoved the "thorn



DR. C. B. GILBERT.

in the flesh" aside for the time and as the institute is laid out on easy lines.

All they have to do is to sit and listen to the "roasts" they get—some of them—from the paid lecturers who come to entertain and instruct.

Surely they would get tired of men who only stood before them to say complimentary things to tickle their vanity, and it is only natural that when the lecturers would advance theories with which all would not agree.

It is a common thing for these great men to come from the heads of men and consequently there is to their minds but one type of scholarship—or at least all present-day scholarship must receive its final polish in a college of one.

NOVACH COLLEGES.

Something refreshing, therefore, was the address of Frederick Burk, president of the San Jose Normal School, on the subject of "What Really do we Mean by Scholarship?"

He said freely that to his mind it did not mean a jumble of Greek letters on a piece of sheepskin, though he did not use that metaphor to express himself. He declared that he knew nothing of the profession of giant eighteen feet high when viewed upon their own tripod, but when brought into contact with men of the day they immediately dwindled with "scholarship."

As viewed by Dr. Burk, education requires complete and intimate knowledge of the environment of the man and the things with which he comes in every-day contact than in any other field of life.

He declared that if he had any way the "subtleties" of California taxes cut much more of a figure in the schools of to-day than the history of the country.

DR. GILBERT.

Dr. C. B. Gilbert of New York, concluding his talk on "How and Why We Learn," later in the day, told of his boyhood experience in a way that seemed to point to a unity of thought between himself and Dr. Burk. He said:

"When I was a boy I memorized every rule of the English grammar, but I am thankful to say I have forgotten every one of them. I also learned the Greek alphabet from my older brother because I was attracted by the jingle, 'The Greek alphabet is the best.' Mike, butter, leather, bony sticks, and that is the only one of the three that has clung to me, because it was associated with something in life."

His theory was much about there but not necessarily teach the thing itself. He pummeled the riddle idea in the schools with seven comparisons, among which was the meaning of the word "Takir." He said a "Takir" is "a natural hair running around the world."

The boy, being asked to define the function of certain parts of the anatomy, said the "stomach is devoted to vowels, of which there are five—e, i, o, u and y."

Dr. Gilbert's opponent said: "Of all the stupid and nonsensical educational blots none is quite so stupid as the 'thoroughness' adopted by the British mind. Let us see if our children know they know anything thoroughly, but send them out full of interest and ambition."

The day closed with a talk on Japan by Mrs. Adams Fisher, who is sojourning in the city for a time, after having spent several years in Japan. She favored many a long time with a description of the Emperor's annual and exclusive social function, the Emperor's Tea Garden.

Tuesday morning there will be two addresses: G. Hartmann on "Steps in Human Progress," and the other by Arthur Farwell on "National American Music." At 1:30 o'clock this afternoon, Dr. Paul Graham will give a reading, and E. H. Warman will lecture on "Consonants."

COUNTY INSTITUTE.

KEEP BABIES AT HOME. The little red school house of Los

Angeles county, or whatever manner of buildings has displaced those honored old structures, were deserted yesterday and the fair divinities who preside over them attended 600 strong, the County Teacher's Institute at Blanchard's Hall. The full number of teachers outside the city is 634. There was a fair sprinkling of men in the feminine assemblage, just enough to show that the profession has not been entirely deserted by them. The merry chatter that filled every pause in the programme, and the number of blooming girls, fairly showed, however, even in the unusual observer that the "young idea" has been handed over to the women of the country.

The sessions were presided over by Mark Kepell, county superintendent of schools, and the first address was made by Rev. William Clever, after which the music, a most attractive event of the day was given. The Boys' Chorus of the Pasadena High School was on hand and sang under the direction of Miss Elizabeth T. Rice, "Christina Caroli," composed by H. Edmond Earle of Pasadena; and that exquisite composition of Metcalf's "Absence," Mrs. Frances Fernandez Corbet gave a violin solo, accompanied by Miss Mabel Bishop.

DO NOT APPROVE NURSERY.

Supt. Kepell's address was full of the statistics that tell a convincing tale, with a résumé of the manner in which the different branches are taught.

"Let us give the children a chance to be babies a little longer," said he. "I believe it is a great mistake to admit children to the first grade before six years of age, and to the first grade before they are seven years old. We hurry them too much, flesh and blood cannot stand the strain and if we continue our present age of admission, the whole race will become nervous wrecks in a few generations."

The County Superintendent spoke in no uncertain language of several different subjects. In regard to the law covering the food supply he said:

"I hope the day will come when our schools will furnish everything except the children, and become in deed and truth, free schools."

He advocated more kindergartens, more schools, more vocational schools, commercial schools and technical schools.

The hearty applause on the teachers echoed his opinions on these points.

"What we need," he said, "is not another Edna, but more fruit from the tree of knowledge."

Los Angeles County, according to the figures given by Mr. Kepell, has every other county in the State as an educational center.

"Progress of the Teacher" was unfolded by Dr. C. R. Gilbert of New York City, formerly superintendent of schools in Rochester, N. Y., and in Paul, Minn., and who is now a special editor of text books used in the schools.

His address was greatly enjoyed, dwelling upon the necessity for absolute freedom of the teacher from the hampering influences of cast iron systems, and the teacher who is independent who do too much superintending and agreeing with the man who said:

"The teacher is the school," and the machinery of superintendents, school boards and principals, is one of the purposes of assisting the teacher.

In another sense, one who teaches must be free from narrow prejudices, said he and only by spiritual unity of pupil and teacher, does Prof. Gilbert think the highest development is to be attained.

Supt. T. H. Kirk opened the afternoon session with "Some Educational Needs of the Hour," dealing first with the teacher and then with the pupil.

Assurance of the teacher's physical, social, and political emancipation were spoken of.

"If we are only willing to pay mediocre prices, we will have mediocre persons for our teachers," said he; and he saw as one of the signs of this drifting towards mediocrity, because of inadequate remuneration.

His strongest words were spoken in behalf of physical and mental emancipation for the child. In childhood, he said, mental development is possible without physical movement, and our children sit too many hours in the same positions, without the proper relaxation and play of muscles.

Other foods are held good in mental training. Instead of letting them take the initiative, they are made to develop along lines already laid down. More hours in the sunshine, more listening to the roar of the waves and the beating of the sand on the sand.

Supt. Kirk's appeal for the children, and seemed to embody the spirit and letter of the first day's session. The afternoon closed with Prof. B. R. Bunting's address on "Education and Democracy," with a lecture on "The Progress of Man as shown by the Louisiana Purchase Exposition," with the accompanying stereopticon views.

The programme for today includes a cello solo, Paul Jensen; vocal solo, John Johnson; address, "Drawing in the Primary Department," Prof. D. R. Augsburg; address, "Consolidation and Transportation," Supt. W. G. Hartmann; address, "The Development of Commercial and Industrial Education," Principal J. H. French.

ALUMNI RECEPTION.

On Tuesday an ermine some of the invitations to the Normal Alumni reception in honor of Dr. Millspaugh, at the Woman's Clubhouse, read "Saturday evening instead of Wednesday evening. The reception will be held Wednesday evening, December 21, from 8 until 12 o'clock.

He referred to the disappointment of the mother who may have done menial labor to send her son to college, and labor again to get him out, and was apologetic when he came back to her filled with "scholarship."

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THE OIL INDUSTRY. POTOMAC'S OIL TO INDEPENDENT.

KERN RIVER PROPERTY LEASED TO THE AGENCY.

Object is to Prevent Over-production—Carlsbad Consolidated, Recently Incorporated, to Elect Directors Today—Twenty Rigs Going up, Lumber Arriving for New Town.

W. S. Morton, president of the Potomac Oil Company of Kern River and Kern, had just returned from Phoenix, Arizona, where he attended the annual meeting of the company, which is an Arizona corporation. The most important action taken was the ratification by 99 per cent of the stock of the lease of the company's Kern River property to the Independent Oil Producers' Agency. This places the company with its large producing property, beyond quibble in the matter of organization.

ENLARGING THE MARKET.

The new association, according to the statements of persons connected with it, while allowing the Standard or Associated to do all the marketing of oil produced, the fair price is paid for work in harmony with the general purpose of enlarging the existing market, so that there shall be no question of over-production in future, such as was given as reason for the cut in price a few months ago.

NEW MEXICO FIELDS.

In connection with the recent entering of Los Angeles people into the new field near Carlsbad, N. M., it is of interest to note that similar indications of oil have been found to the north and south of Carlsbad about 100 miles to 100 miles on almost a straight line. At both places some prospecting was done, but no definite results obtained.

It was during the Beaumont oil excitement that interest in oil first attracted to the question of the possible presence of oil in this territory. El Paso people did considerable prospecting, located some property and organized a company to develop oil.

Plain Nappies, \$2.00 to \$2.25. Cut Glass Vases, \$3.00 and up. Cut Glass Oil Bottles, \$1.00 and up. Sterling Top Salts and Peppers, 50c. 50c.

Chafing Dish \$5.50

A full nickel chafing dish. Regulation alcohol burner. A special value at \$5.50. Many others for alcohol-gas or electricity.



Rich Cut Glass

Every pattern of cut glass in this store is new and up-to-date. Fine cut glass is one of the nicest things you can give for Christmas.

Water Bottles, \$3.25 to \$20.00. Sugar and Cream Sets, \$4.00 to \$16.00. Bon-bon, \$3.50 to \$20.00. Cologne Bottles, \$2.50 to \$10.00. Water Jugs, \$8.50 to \$20.00. Handled Nappies, \$2.75. Plain Nappies, \$2.00 to \$2.25. Cut Glass Vases, \$3.00 and up. Cut Glass Oil Bottles, \$1.00 and up. Sterling Top Salts and Peppers, 50c. 50c.

French China dessert sets, \$15.00 to \$20.00. 13-piece Salad Sets, 13 pieces, \$7.50 to \$10.00. French China Almond sets, 13 pieces, \$2.50 to \$10.00.

Hand-painted Nut Sets, 13 pieces, \$38.00. Guest Chamber Water Sets, \$10.00 to \$15.00. Pudding Sets, 3 pieces, \$7.00 to \$17.00. Chocolate S-t's, 7 pieces, \$8.50 to \$25.00. Fish Sets, \$10.00 to \$100.00.

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WOMEN LEAP FROM COACH.

Leaving Places on Electric Railway Car.

Splinters of Glass Fly and Conductor Frantic.

Attempt to Throw Off a Passenger.

Sugar and Cream Sets

Beautifully decorated sugar and cream sets of very fine china. Green tint and small red roses, set 65c. Green tint floral spray and gold, set 100. Red and yellow roses and gold, set 150. Empire Foot—Pink band and red roses, 150.



China Berry Sets

Immense variety of them. The fine chinas, handsomely done, own a special value. Berry Set, gold stippled, \$1.50. Berry Set, small pink roses, \$1.00. Berry Set, floral spray and gold, \$1.50. Berry Set, tinted blue spray and gold decoration, \$1.50.

Decorated

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over, colored

\$2.50

over, colored

\$2.50</p

THE CITY IN BRIEF. NEWS AND BUSINESS.

Price to Turkeys.
Price of Turkeys.
upon 25 to 30 cents a pound as the
retail price of turkeys for the Christmas
trade.

Attorneys Admitted.

Gavin W. Craig and Adam Thompson, attorneys, were yesterday admitted to practice in both the United States District and Circuit courts.

Volunteers of America.

Rev. Stuart L. Noble, the Quaker preacher, will deliver a sermon at Volunteers Hall, No. 128 East First street, this evening at 8 o'clock. Mrs. Henry Stapp, H. E. Staples will sing.

Laurels "Trot."

For the last two days the crossing of Los Angeles street at Third has been entirely closed by the street paving. Wagons are obliged to go around by Fourth street to get into the wholesale district along the Los Angeles.

Sorcery For Veterans.

"Sorcery" will be the interesting subject of a lecture to be delivered by Dr. Robert McInnes this afternoon at 2 o'clock, in Memorial Hall at the Soldiers' Home. Miss Anna Goodwin will sing.

Ellyer Matines.

This afternoon at Chutes Park the Ellyer Band will inaugurate its series of week-day matines. A splendid programme has been prepared for today, including the "Poet and Peasant Overture," "File du Regiment," "Babes in Toyland," and "La Gioconda."

Club for Young Men.

At Blanchard Hall this evening further steps will be taken for the formation of a club of men between the ages of 18 and 35 for development along the lines of oratory, debate, literature, ethics and philanthropy. The meeting will be addressed by Rev. B. Fay Mills.

Eagle's Aeris.

The Eagles Aeris, the official organ of the External Order of Eagles, completed its first volume with the December issue and ratified that event by issuing a twenty-page paper well patronized by advertisers and most illustrated. The Eagles Aeris is edited and published by John W. Staley.

For Ways that Are Dark, etc.

Moche Chuck, impresario of the tan players of Chinatown, who has an intimate acquaintance with the game, was accused yesterday of the charge of having lottery tickets in his possession. Chuck is now conducting a place on East Second street, having renounced his allegiance to Chinatown. He was released on bail of \$50.

Dies from Lockjaw.

A man died yesterday from lockjaw and when it seemed probable that the remarkable experiment of injecting anti-tetanus serum into his brain would prove successful, Alice Welch, who was his mother, and his business at Santa Fe Springs, died last night. The doctors who made the experiment believe that Welch had been brought here to die and that she may have been saved. Welch was for three days without medical aid, and that he lived as long as he did was unusual.

Rest Room for Ladies.

A rest room for ladies has been fitted up in the new wing of the Times Building, the downtown from. The room is designed by The Times to be a convenient place for ladies, when "down town" or in from the country, to come and meet friends by appointment, to use the "phone, to have a rest, and to rest if they wish. The room is suitably furnished; toilet articles, etc., are provided; and The Times Library is adjacent. The room may be reached by the passenger elevator running up from the first-floor lobby on the west side of the building. The use of the room is free to lady patrons of The Times and their friends, and to residents of both the city and country. Ladies are invited to be present at the opening, between the hours of 10 to 12 a.m. and 1 and 5 p.m. today.

Death Record.

BOCHO—In this city, Rev. Nester C. Bocho, aged 23, of the First Baptist Church, Broadway and Sixth streets, Wednesday, at 2 p.m., Interment Evergreen Cemetery.

BENT—John Bent, December 1, 1894, Abbott J. Bent, aged 6 years. Funeral from his residence at Monroe, Cal., December 29, 5 p.m.

FOWELE—Lizzie N. Fowler, age 43, wife of J. W. Fowler, died yesterday evening at 7:30. The funeral will take place 1 p.m. Tuesday in the home on 11th street.

BRITTMAN—December 18, at the late residence, 1226 East 12th street, Edward Brittmann, aged 74 years. Funeral services at the Chapel of Pierce Bros. & Co., 816 South Flower street, Saturday, December 21, 1918, at 10 a.m. Interment Evergreen Cemetery.

GUSTAV—At his late residence, No. 126 East 12th street, Mrs. Gustav, beloved husband of Georgiana Gustav, father of George E., Mrs. P. S. Anderson, Mrs. Spencer, Mrs. L. C. and Clarence, died December 18 at his late residence, 1226 East 12th street. Funeral to be held at 10 a.m. Saturday, December 21, at the Chapel of Pierce Bros. & Co., 816 South Flower street, 12th and Flower, Interment Evergreen Cemetery.

CLARK—At her late residence, No. 929 South Olive street, Mrs. Clark, died yesterday at 10 a.m. Friends invited. Interment Rosedale Cemetery.

W. VANDEVOORT—December 18, 1918, at her late residence, 2216 Central avenue, Lou A. Vandevort, aged 60 years. Interment Evergreen Cemetery.

OSTAVIA—At his late residence, No. 126 East 12th street, Mrs. Gustav, beloved husband of Georgiana Gustav, father of George E., Mrs. P. S. Anderson, Mrs. Spencer, Mrs. L. C. and Clarence. Funeral notice.

WILLIAM F. ANDERSON—December 18, 1918, at her late residence, No. 126 East 12th street, Mrs. Gustav, beloved husband of Georgiana Gustav, father of George E., Mrs. P. S. Anderson, Mrs. Spencer, Mrs. L. C. and Clarence. Funeral notice.

FUNERAL NOTICE

Foresters of America are requested to attend the funeral of our deceased brother, J. H. Kramminger, to be held at Masonic Temple, 11th and Spring streets, Saturday, December 21, 1918, at 10 a.m. Interment Evergreen Cemetery.

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THE PUBLIC SERVICE—OFFICIAL DOINGS.

SUMMARY OF THE DAY.

City Clerk Lealand said yesterday afternoon that the Council had voted to award the contract for the outfall sewer under specifications calling for 10 per cent. water test instead of 8 per cent. as provided for in present contract.

An electric railway franchise covering about four miles of streets in the Sixth Ward was yesterday sold by the Council to the Los Angeles Railway Company for \$250.

City Attorney Mathews yesterday presented to the Council an ordinance providing for the regulation of the price and quality of gas delivered to Los Angeles consumers and creating the office of Inspector of meters.

Attorney W. E. Dunn yesterday informed the Council that none of the Huntington companies had built or operate railways under twenty-one-year franchises.

The Council yesterday afternoon declined to ratify the appointment by Mayor Snyder of Foster C. Wright to a place on the Library board to succeed A. W. Fisher, resigned.

Mrs. Dearbaugh, who made such a turn in court as to become such a city figure, has been sued by G. W. Oglesby of Santa Monica. He charges her with playing on his sympathy to extort a life interest in his property.

The Castle brothers were sentenced yesterday by Judge Smith.

PUBLIC ADVERTISING—NEW TODAY.

(1.) Ordinance prohibiting the destruction of notices etc., posted in the City Hall. (2.) Permit to improve Forty-seventh street, under private contract. (3.) Establishing grade of Seventh street. (4.) Grade of Eighth street. (5.) Grade of Cypress avenue. (6.) Grade of River street. (7.) Grade of Arroyo Seco avenue. (8.) Grade of Ninth street. (9.) Grade of Juanita avenue. (10.) Grade of Davison avenue. (11.) Grade of Harvard street. (12.) Grade of New Hampshire street. (13.) Grade of Catalina street. (14.) Grade of Berendo street. (15.) Grade of Avenue Twenty-six. (16.) Establishing width of walks on Vermont avenue. (17.) Walks on Downey avenue. (18.) Walks on Vermont avenue. (19.) Establishing name of London street. (20.) Changing name of Halizip street to Avenue Seventeen. (21.) Changing name of Newell street to Avenue Sixteen. (22.) Changing name of Goss street to Westlake avenue. (23.) Changing name of Quebec street to Westlake avenue. (24.) Ordinance of intention to abandon portion of Arlington street. (25.) Notice inviting proposals for constructing cement curbs on Wilshire Boulevard. (26.) Notice inviting bids for furnishing materials to the city of Los Angeles. (27.) Notice inviting bids for the construction of a fire engine house on Hobart avenue near Adams street.

These advertisements will be found on pages 7 and 8, part II.

AT THE CITY HALL
A LITER BRICK
SPECIFICATIONS.

COUNCIL ADVERTISES FOR TEN PER CENT. WATER TEST.

Resolution Asserts that C. Forrester Has Failed to Fulfill Contract. Think Former Specifications Were Unnecessarily Stringent—May Mean Legal Complications.

Official declaration was yesterday afternoon made by the Council that C. Forrester has failed to furnish brick for the outfall sewer, according to specification, and a resolution was adopted to the effect that the city will purchase the brick for the sewer and storm drains in the open market.

Clerk Lealand was instructed to advertise for bids for sewer brick, to be opened December 31.

A most important change in the revised specifications for brick will be made in the new advertisement. Bids are asked for on brick that will not absorb more than 10 per cent. of water. The present contract with the Independent Brick Company calls for brick that will not absorb more than 8 per cent. of moisture.

Officials of the Independent Brick Company have claimed all along that the company was turning out 10 per cent. brick by the million, but that great difficulty was experienced in reducing the non-absorbent quality to 8 per cent.

On December 21st yesterday afternoon that the Council finally arrived at an agreement to advertise for brick under changed specifications. City Attorney Mathews prepared the specifications under protest. He asked that he be allowed more time to examine into the legal aspect of this latest move.

The City Council, for the reason that yesterday was the latest day on which the advertisement could be ordered if the bids were to be considered by the present Council.

At the session in the Council chamber, and in the gloom of the failing twilight, unanimously adopted the following resolution:

Whereas the City Engineer, acting under the direction of the Council, on December 12, 1908, and C. Forrester, dated February 1st, 1908, wherein Forrester agreed to furnish brick for the outfall sewer and storm sewers, has required that the brick be made of 10 per cent. of water-absorbent, and said Forrester has failed to furnish the brick as required of him; therefore, the City Council, in the interest of the public in the construction of said outfall sewer and storm sewers, the size, kind and quality of brick to be used, and said brick after being thoroughly dried and tested, shall not absorb more than 10 per cent. of their weight in water, shall be purchased by the city, and instructed to advertise for bids for purchasing the same, to be opened December 31 at 10 o'clock a.m.

After the session, City Engineer Stanford said that, while he had not been consulted by the Council on the specifications, he had been consulted by the Sewer Committee of the Council and had given his consent to the substitution of the 10 per cent. test.

"The brick are perfect in other ways," said the City Engineer. "The 10 per cent. qualification would not seriously affect the life of the sewer. It has been tested on good authority that the sewer was never out of 8 per cent. brick."

City Attorney Mathews said that the brick contract would not be amended unless the Council made an amendment, he had been consulted by the Sewer Committee of the Council and had given his consent to the substitution of the 10 per cent. test.

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Details of the cancellation of the Forrester contract and arrangements for the change in specifications will be worked out during the next ten days, while the brick men are readjusting their bids.

GAS ORDINANCE.

CITY ATTORNEY Mathews yesterday afternoon presented to the Council an ordinance providing for the establishment of a municipal price and quality for illuminating and fuel gas, and creating the office of Inspector of meters.

The City Attorney reported that his office was still working on ordinances establishing a rate for electric-light and telephone service. By a unanimous vote the Council deferred action on the gas ordinance, and the ordinance is presented. Last night the City Attorney said that the remaining ordinances would be ready for presentation to-morrow.

At the time of presentation of the ordinance, the price of gas was 10 per cent. for gas provided by the gas ordinance along lines similar to those by which the Council in former years fixed the price for delivery of water.

Other members of the committee that they make a bargain with some sand hauler to deliver screened sand on the streets. Since my return I have investigated the price and found that the sand is lower than that paid by most building contractors.

The charges that there has been any steal or irregularity in the purchase of sand for use on the streets are groundless.

Kern and Notsig, the other members of the special Oiling Committee, said that the sand had been delivered on the streets and that the price was the lowest and the others received.

The Howton motion that he had

cents a load for it. That sand was not satisfactory to city teams. The sand was not satisfactory to city teams. The sand was not satisfactory to city teams.

The day before I went East I made a visit to a number of streets which were being oiled and inspected the work. The recommendations of other members of the committee that they make a bargain with some sand hauler to deliver screened sand on the streets. Since my return I have investigated the price and found that the sand is lower than that paid by most building contractors.

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THE TIMES-MIRROR COMPANY.

H. G. OTIS, President and General Manager.
HARRY CHANDLER, Vice-President and Assistant General Manager.
MARIAN OTIS-CHANDLER, Secretary.
ALBERT McFARLAND, Treasurer.
PUBLISHERS OF

The Los Angeles Times

Daily, Weekly, Sunday, and Weekly Magazine

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Twenty-fourth Year

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EDITORIAL SECTION—PART II, MAIN SHEET.

BUSINESS.

The New York stock market yesterday fell into a holiday rut, and the closing was heavy. The Chicago wheat market showed great strength after the opening, due to falling-off of receipts in the Northwest. Later, the market reacted. May closing at 111.

THE CAREER OF CASSIE.

The career of Mrs. Cassie Chadwick brings out the fact that, while she was one of the smoothest manipulators that this country has ever known, she yet lacked the wit to keep on the safe side of the line that divides legality from criminality. There are thousands of manipulators, speculators and promoters in America and elsewhere whose transactions are little, if any, less reprehensible than were those of Mrs. Chadwick, but they are careful to handle their affairs so that they cannot be imprisoned as a consequence of their dealings. Promoters without number have times without number floated stocks and securities on the market and sold the same to innocent and unsophisticated purchasers, knowing all the time that they were working hopeless swindles, but when the crash came there was no way by which the swindlers could be made to suffer for their acts.

If Mrs. Chadwick had held to that line of promotion schemes by which many men who are now haled as eminent financiers have amassed millions of ill-gotten dollars, she would have exceeded the success attained by most of them. But she didn't. She overstepped the danger line and allowed it to become possible for the charge of obtaining money on false pretenses to be proved against her. It is true that she has not yet been convicted of the charges preferred against her, but her conviction seems certain, nevertheless. Moreover, it will never be known just how much money she really did get away with. It is now certain that she handled at least \$10,000,000 of other people's money which she obtained dishonestly, but it is generally believed also that there were many thousands of dollars handed over to her that will never be mentioned. Many banks and bankers that fell into this clever woman's mesh will pocket their losses and be glad if no one ever finds it out, in order that their prestige shall not suffer.

Yet Cassie was a very foolish woman, when all is said and done. Like Dick Turpin, the famous highwayman, it appears she robbery only the rich. But that is small consolation to her now, as she languishes in the Cleveland jail, a stone's throw distant from the palatial mansion where she once lived in luxury. Again is it well to remember that "Honesty is the best policy."

THE QUARLES-COOPER BILL.

For some time past the fact has been apparent that the Interstate Commerce Commission ought to be clothed with greater powers than it possesses, under existing law, for the regulation of transportation rates. While the commission now has power to review rates and determine the justice or injustice of the same, it has not the power requisite to enforce its decisions, and lacking that power, its decisions are without the authoritative force and effect which they should have.

The annual report of the Interstate Commerce Commission was submitted to Congress yesterday. In this report two principal points are emphasized: (1) "the publication and observance of tariff rates," and (2) "the correction, on complaint, of established tariff rates." The commission declares that successful regulation of rates depends upon the effective operation of both these branches of the regulation. The Elkins amendment of February 19, 1902, dealing with the publication and application of transportation rates, is working satisfactorily, but it needs to be supplemented by legislation conferring upon the commission power to enforce its decisions. "In the present state of the law," says the report, "after careful and often extended investigation, the commission may find a rate complained against to be unreasonable, and order the carrier to desist from charging that rate for the future, but it cannot, though the evidence may and undoubtedly does indicate it, find and order the reasonable rate to be substituted for that which has been found to be unlawful."

Here is an obvious defect in the law, which ought to be corrected in some practical manner. It is claimed by the carriers that it would be unjust and arbitrary to clothe the commission with absolute power to make and enforce such rates as it might find to be reasonable. There would be ground for this complaint if the decisions of

the consideration which its importance deserves. Early and favorable action on the pending bill appears to be the best solution in sight. Unless the Interstate Commerce Commission possesses power to enforce its findings, (subject, always, to judicial review,) it cannot exercise the functions nor fulfill the purposes for which it was created.

JAPAN'S WEAK POINT.

As the great war in the Orient drags on it is becoming constantly plainer that Japan's weak point is in her generals. She has as brave soldiers as ever faced death on any field; the rank and file of her armies are not only not afraid to die, but even welcome death for their Emperor's and their country's sake. They offer themselves freely as a sacrifice, and, in fact, fairly make of themselves a gift to their commanders to use them as they will and at whatever cost. It is this condition of things alone that has enabled the Japanese generals to win such success as they have already won. They have signalized failure to accomplish any strategical or decisive results, although their opportunities to do so have been exceptionally favorable. Even the English war experts, notoriously friendly to Japan as they are, have begun to see the weakness of her generalship. The following is the war critic of the London Fortnightly Review, speaking on this same subject, has the following to say:

"(1.) That the Interstate Commerce Commission be empowered to determine what rate, regulation or practice shall be substituted for any existing rate or regulation of transportation or property, or any other practice, provided that such rate, found to be unjust, discriminatory or unreasonable, the order requiring such substitution to become operative within thirty days after notice. Such order may at any time be modified, suspended or revoked by the commission upon full hearing of all parties in interest."

"(2.) In case of disagreement between carriers, parties to a joint rate so substituted, upon the appointment thereof, the commission is empowered to determine the portion of such rate to be received by each. In case of order prescribing the just relation of rates to or from common points on joint lines, and the several carriers fail to agree as to the changes to be made to produce the relation prescribed, the commission is empowered to determine a decisive action. Gen. Kurokaptin was pushed slowly back, concentrating all his outlying strength on the Yen and Liayang. Stakeberg was severely defeated, but neither surrounded nor pursued; and his escape was even more remarkable in its way than Kurokaptin's and surprised the world the more, as it does not appear to have been in any way anticipated. Gen. Stakeberg's own men were now within twenty miles of the sea. But no strong effort was made to utilize that fact by forcing a decisive action. Gen. Kurokaptin was pushed slowly back, concentrating all his outlying strength on the Yen and Liayang. Then the great battle of the land campaign was inevitable. But four months had elapsed from Kurokaptin's crossing of the Yen. Gen. Kurokaptin's forces were now heavily increased, completely concentrated, and posted in the situation chosen and prepared by the Russian commander-in-chief himself as the most formidable imaginable. Strategy, as has been said, aims at compelling a hostile army to fight under the most favorable conditions. But Japanese strategy, at the end of the seventh month of the war, had ended in bringing on the main engagement under conditions most disadvantageous to the Russians.

"(3.) Every order as to its justness, reasonableness and lawfulness, is reviewable by any Circuit Court of the United States having jurisdiction. After hearing, the court shall be of the opinion that the order is made under some error of law, or is, upon the whole, unjust and unreasonable, it shall modify or rescind the order. Pending review, the court may, within thirty days after the rendition of a final decree of such court, appeal to the Supreme Court under the order of the Circuit Court, or shall not be stayed or suspended thereby."

"(4.) In case any party shall refuse or neglect to obey or perform any order of the commission, obedience and performance thereof shall be summarily enforced by writ of injunction or other proper process, and in addition thereto the offending party shall be subject to a fine of \$500 for each day's continuance of such violation."

The President, in his annual message to Congress, made a strong plea for the enactment of legislation to strengthen the powers of the Interstate Commerce Commission. His words on this subject may almost be considered as an endorsement of the Quarles-Cooper bill, as the following extract shows:

"As the law now stands the commission simply possesses the bare power to denounce a particular rate as unreasonable. While I am of the opinion that at present it would be undesirable, if it were not impracticable, finally to clothe the commission with general authority to fix railroad rates, I do believe that as a fair security to shipper the commission should be vested with the power which, after being found to be unreasonable, and after full hearing found to be unreasonable, to decide, subject to judicial review, what shall be a reasonable rate to take its place; the ruling of the commission to take effect immediately, and to obtain unless and until it is reversed by the court of review. The government is in an increasing degree supervising and regulating the interstate commerce; and such increased supervision is the only alternative to an increase of the present evils on the one hand or a still more radical policy on the other. In my judgment the most important legislative act now needed is regarding the regulation of corporations in this act to confer on the Interstate Commerce Commission the power to review rates and regulations, the revised rate to at once go into effect, and to stay in effect unless and until the court of review reverses it."

Legislation in the line of the Quarles-Cooper bill (which was introduced at the last session of Congress) was recommended by the Interstate Commerce Law Convention, held at St. Louis, October 25-29, last. The power which it is proposed to confer upon the commission was exercised by that body for a period of ten years after its organization, under the supposition that the law creating the commission had vested it with this power. The Supreme Court, upon a test case, decided that the commission had no power under the law to fix rates, when existing rates were found to be unreasonable. The effect of this decision was to limit the power of the commission to the determination whether or not a rate or practice complained of is reasonable and just, and if found unreasonable and unjust, to notifying the carrier to "cease and desist" from charging the same, the carrier being left free to make so slight a change that for all practical purposes the rate will remain the same as before.

That this subject is of far-reaching importance is obvious. The question is now fairly before Congress, and it is to be hoped that it will receive

the consideration which its importance deserves. Early and favorable action on the pending bill appears to be the best solution in sight. Unless the Interstate Commerce Commission possesses power to enforce its findings, (subject, always, to judicial review,) it cannot exercise the functions nor fulfill the purposes for which it was created.

Los Angeles, Kaiser Wilhelm, Emperor Francis Joseph and the Czar are all to meet in Copenhagen in February next, according to the reports, and it is also intimated that an effort will be made at that time to bring the war to a close. The only other factor to be lacking is the presence of the Mikado, but it is not among the possibilities that he will meet his fellow-monarchs. Although he is merely a fat, gassy person, he is regarded as being sacred—the son of the moon and cousin to the comet of 1904 and all that goes with it. After the service the minister pushed his way to the man and proudly said:

"I am glad to note that my sermon affected you. Did it make you see the error of your ways?"

"Oh, it wasn't that," said the man sheepishly. "You see, my waistcoat is too short and I had to bend over to hide my shirt!"—*New York Sun*.

It Was a Bad Pen.

Senator Pettus of Alabama was writing with a noisy, sputtering pen. Laying the pen down, he smiled and said:

"I was spending the evening with a friend of mine in Selma. We sat in the dining-room, and from the kitchen came a painful scratching noise."

"Martha," said my friend to the maid, "what is that scratching in the kitchen? It must be the dog trying to get in."

"Oh, it wasn't that," said Martha, "dat's no dog scratching, de do. Dat's de cook a-writin' a love letter to her honey-suckle."—*New York Tribune*.

In the meantime, while Canada is fixing things up to capture the crosswise trade of Mexico, it behoves California to get busy and put a few new scratches in the Snow Lady's wheels.

"Martha," said my friend to the maid, "what is that scratching in the kitchen? It must be the dog trying to get in."

"Oh, it wasn't that," said Martha, "dat's no dog scratching, de do. Dat's de cook a-writin' a love letter to her honey-suckle."—*New York Tribune*.

GRAND OPERAHOUSE. "The Silver Dagger" is puncturing the bug of the Grand Operahouse this evening. It is a play of plots, counter-plots, adventurers and adventures—such as is customary with the drama.

ROB BAKING. "The King up to Date."

The King of Siam—who has just subscribed to the Sir Edwin Arnold memorial—is one of the most popular attractions in America. He almost invariably wears the latest thing in frock coats and silk hats, while his military uniform looks if they had been designed by a tailor. He is a fine-looking man, too, never using sling. He has visited and examined with a critical eye the various cities of the world, and has been to every part of the globe.

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TUESDAY, DECEMBER 20, 1904.

Choosing More
Means a
Distinct
Advantage.

Lake's Annual Election
Will Be Held Today.

President's Mother
Gives Reason,
Says Campfires But
Five Miles Apart.

Perhaps the most convincing
demonstration of our claim
is that which has occurred
repeatedly of late that
noticed any previous
the return of shoppers
"purchaser" who
only visited us only
of inspection."

We take this as an
evidence that business
is at its best proof of our ability to
sell good diamonds for the
money.

Practical Illustration
We invite you to per-
sons, then when the
the improvement of the
we can talk to you,
for your practical
as we are doing
many diamond p-
good offers in diam-
Say its rings for
\$100.00 or \$75.00.

We provide you with
of ladies' rings, the
latest settings of all
gold, as preferred,
prices you have just
"Solitaires," "Twins,"
"Stones," "Five Stones,"
or "Stone" rings.

You couldn't select
models—that would be
Our stock is so large we
ply anything, you may
moms, any size, any
in one quality only—
perfect stones.

Our workshop is ready
command if you want
a special design made to
providing you buy the
from us.

Can we not interest you
diamond stock? It's
your pocket to buy
this Christmas. Next
will have to pay
prices. Come today.

MONTGOMERY
JEWELERS
DOUGLAS BUILDING
SPRING AND THIRD
"At the Sign of the Star."

CAYA
SLIPPER
Sole
Plain
and
of
the
vera
worn
un-
bed,
over-
only
been
was
in
the
the
re-
kept
On
turn
in
the
evi-
what
un-
any
de-
re-
re-
such

APPOINTED.
I. Russell Ball has
agent of the lines
in Utah. F. E. Morris designed
the seal; the lines
agent, and is ap-
Gibson, third vice-

Wetherby-K.
Shoe Company
Los Angeles

888 FATAL.
Runaway Horse
and Instantly
Killed.

Tapan Barney, a
Civil War, met violent
death at 1 o'clock yester-
day and Mrs. Barney
with relatives, Mr. and
Miss of Ingleside, Cal.,
post office for the morn-
ing returning leisurely,
and death made him
the fast approach of
the end of the shoot-
of his dangers and sought
Barney was run
a street crossing and
suffered concussion of
from ears, nose and
almost instantly,
yesterday evening.
Barney entered into
a seventh Regt. and
He participated in
the best of his
prices more than
a reasonable.
scarf pins, neck-
pendants, brooches,
large enough to
suit the most
buyers. Our
are just as we
sent them. The
BEST or your
cheerfully re-
spond.

Secures Injunction.

A new wrinkle in restaurant cookery
was sprung yesterday by E. S. Frey,
who filed a petition in the Circuit
Court for injunction against
Gerald Kreslmann to prevent him from
interfering with the conduct of his
saloon on Broadway.

Frey alleges that he entered into a
defendant on September 16, whereby he was to have
charge of this portion of the business
for a term of one year at a salary of
\$75 a month. Although he refused
the job, he was willing to continue
his services, he says Kreslmann, the
proprietor of the saloon, has served
notice on him that the contract is at
an end.

While opposed to government by in-
junction, Frey says there is no other
way he knows of to hold the job,
and he expects to go to opening
stores and saloons under the pro-
tection of the restraining order.—
Los Angeles Daily Globe-Democrat.

Young Woman
Cheerfully Re-
sponds.

A young woman
cheerfully re-
sponds.

One of these
young men who was
long to return the
entertainment to the
theater, a bit of this
entertainment, and his
request for per-
sonal service. Sunday,
however, a young
note on his
that night so
I want to get in
call and take you
any event you
any day.

an
and
for
the
Wal-

J. G. DONAHUE
DIAMOND MERCHANT
245 S. Spring

ROYAL
Baking Powder

Makes pure food and
thus saves health.

ROYAL BAKING POWDER CO., NEW YORK.



J. W. ROBINSON CO. THE BOSTON DRY GOOD STORE

239 South Broadway. Opposite City Hall, Los Angeles

There are hundreds of you who have not yet selected your Christmas gifts. Any lady always appreciates little fancy work novelties and is always glad to receive them at Christmas time. If you are in doubt as to what to give your lady friends for Christmas, you can spend a few minutes to good advantage in our Art Department on the Third Floor.

Items for Christmas

We have a very large line of fancy novelties of every description in this department, also an exceptionally fine line of strictly first-class dolls and toys. Here are a few items that would be suitable for gifts.

9-inch work baskets, prettily lined with tufted satin, in colors of pink, blue and red; **Special at \$1.00 each.**

Satin handkerchief boxes in all the daintiest shades, hand painted colors, in attractive designs; **Special at \$1.00 each.**

Hair receivers of even linen, ornamented with wild rose designs daintily colored, sides laced together with blue ribbon; both pretty and useful little presents; **Special at 50¢ each.**

Needle books with linen covers on each cover; **Special 25¢ each.**

Embroidered calendars of white linen with forget-me-nots and roses in the daintiest colors; **Special at 25¢ each.**

Prices 25¢ to \$1.50.

Parlor bagatelle; a game that will amuse either boys or girls, and is very interesting to play. Comes in two sizes; **\$1.00 and \$1.25 each.**

Stuffed animals of all kinds, made of both velvet and cloth; unbreakable, and the baby cannot hurt itself with them. **Special at 50¢ each.**

Prices 25¢ to \$1.50.

Dolls, little red Ridinghoods, a delight to the children, in jointed dolls, completely dressed; **Special at 30¢ each.**

Prices 25¢ to \$2.25.

Umbrellas, \$1 to \$7.50.

Smoking Journals, \$4 to \$12.50.

Bath Robes, \$4.50 to \$25.00.

Mufflers, \$1 to \$4.00.

Neckties, 50¢ to \$1.50.

Fancy Handbags, 25¢ to \$1.50.

Fancy Shirts, \$2 to \$22.00.

Pajamas, \$1.50 to \$3.50.

Fancy Veils, \$1.50 to \$6.00.

Night Shirts, 50¢ to \$1.50.

Suspenders, 25¢ to \$2.00.

Cravatette Coats, \$10.00 to \$20.00.

Linen and Silk Handkerchiefs, 25¢ to \$1.50.

Suit Cases, \$3 to \$18.00.

Prices 25¢ to \$10.00.

Handkerchiefs are always greatly appreciated when received as Christmas gifts. The one who receives them constantly carries them and they serve as a pleasant reminder of the giver.

250 dozen ladies' all pure linen handkerchiefs, with dainty fine embroidery; 6 styles in neat box; neat exclusive patterns; regularly 50¢ each; **Special today \$1.25 box.**

Today \$1.50 box.

Our store will be open next Friday and Saturday evenings.

Decorated China Cake Plates

Open Thursday, Friday and Saturday evenings.

GERMAIN SEED CO.

238-330 S. MAIN STREET.

The Largest Seed House in the West.

SEED!

Now is the time to plant your Garden; Flower and Farm Seeds.

Our 1905 Catalogue mailed free on application.

H. F. VOLLMER & CO.

On Broadway, Cor. Third.

KODAKS

ALBUMS

DEVELOPING

MACHINES

TRIPODS

Call and see the new machine for developing

VELOX

Pictures Frames Calendars

Make your Christmas selections early.

Howland & Co.

213 S. Broadway Both Phones 211

For Christmas Bargains Visit

Mercantile Place...

Between Fifth and Sixth Street from Spring to Broadway

C. WESLEY ROBERTS, Agent, 203 Merchant Place, Real Estate Dept., Home 884

100 HIGH-GRADE VEHICLES

"NO CLOTHING FITS LIKE OURS"

The Very Highest Class

\$12.50 to \$35

Wood Bros., 343-345 S. Spring

DRUGS of Value

Men's Slippers \$2.50

Made of soft fine vicuña, black and brown, very comfortable.

We have a large line of baby shoes, black, white and colors. They always make nice gifts.

C. M. Staub

Shoe Company

255 South Broadway

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San Bernardino, Riverside and Orange Counties.

(NEWS REPORTS FROM TIMES CORRESPONDENTS)

STRONG CASE AGAINST THEM.

ALLEGED ROBBERS WILL FACE BUNCH OF WITNESSES.

San Fe hold-up Matter to be Presented to Grand Jury Today and Indictment Expected at Once. Italian Fatally Shot as Result of Drunken Spree.

SAN BERNARDINO, Dec. 19.—The charge of murder which has been preferred against Arthur Schwindler and Sidney Jarvis, supposed to be implicated in the shooting of business messenger Roberti, will be taken before the grand jury tomorrow, and the prosecution's attorneys believe that before night a true bill of indictment will be returned against the prisoners. It was intended to have the preliminary examination Tuesday morning before Justice of the Peace C. L. Thomas, but the meeting of the grand jury removes the case from the jurisdiction of the justice. Among the witnesses who will be present are Conducción, the chief of Santa Barbara, on whom the robbery and murder occurred, the Santa Fe station agents at Daggett, Lavic and Mojave, Santa Fe Engineer Lent, who found the revolver with which the messenger was shot down, and O. W. Weise, the Cincinnati youth whom the messenger paid off the steps of the baggage car at Lathrop.

Sheffie Ralphs has explained in part the circumstances which point to the guilt of the two prisoners. He said: "O. W. Weise is the last man I saw before Roberts before the robbery. Roberts opened the car door at Lavic and ordered him to get off. There was no one else riding in the express car and the horse car. Weise was shot in the shoulder when he got off the train, while it was stopped at Lavic, intending to again board the express car, but the train had gained 'no great headway' to allow him to board it. An express car was except by him he saw Roberts still peering out of the door."

"Now, when Roberts was found desperately wounded in his car at Daggett he came to me after the robbery and left Lavic someone pounded on the car door, and believing it was one of the trainmen he opened the door and was knocked down and shot. The plates used in the robbery were found a mile west of Lavic, and the iron bar used to batter down the car door was picked up some distance farther on. All this shows plainly that the robbery was committed within a mile of the train; and, second, that he came out of the horse car."

The train was going at too great a rate of speed to permit anyone to board it between Lavic and Nogherio. Weise says that there was no one else on the step between the horse car and the express, therefore there are only two conclusions which can be drawn, first, that the robbery was committed on the step of the train; and, second, that he came out of the horse car.

The first conclusion is brushed aside by reports from Needles that the train was searched on the step beneath the car tramps, and the trainmen state that the robber could not have climbed on after the train left Needles as they had raced toward to keep a lookout for an express car. J. W. Reed, and the entire crew watched the train at each stop.

"That the robber threw away his pistol is another strong indication that he had a right to ride on the train. It would have been an easy matter for the persons in the horse car to have stepped into the express car and committed the robbery. The prisoners claim that they were fast asleep in their bunks until Daggett was reached, but the engine crew contradict this, stating that Jarvis and Schindler were up all night and running about in the engine room. It is believed he stayed out of the horse car over half an hour at Daggett, but never heard a thing of the robbery until the train reached, but the engine crew contradicted this. The engine crew have no excuse for the extreme alarm expressed over the robbery, which was discovered less than two minutes after the train stopped.

Jarvis has boasted that the prosecution can prove his innocence by the horse car, as it has been taken out, but arrangements have been made with the railroad company to have the car shipped here, and it is likely that it will be exhibited to the public, though this is impossible for the prosecution, have a certified sketch of the interior, which was drawn at Topeka as the car went through there on its east-bound trip.

FATALLY SHOT.

Ponciano Espariza, an Italian, was shot through the body just above the waist at an early hour this morning by a fellow-countryman, Gregorio Galvan, who had been on his usual Sunday spree. Galvan was a roomer at the home of the man he shot. At 4 o'clock this morning he returned to the house and standing in the yard attempted to shoot the air. He then entered the house, and when Galvan commenced to shoot, the second shot being aimed at Espariza, who was in bed, inflicted an ugly hole into his body, inflicting a wound which will probably prove fatal.

The shooting brought the drunken man to his senses, and he quickly left the house, saying that he would summon a physician and then return to see him. After waiting over an hour for the physician the neighbors were called in and notified the officers and the man, who was badly wounded, was removed to the hospital.

Espariza in his ante-mortem statement declared that the shooting was purposed to be a warning to the wounded man's wife, corroborating him, though there is a rumor among the neighbors that Galvan had become infatuated with the woman, and had recently quarreled with her. On this account, he was being ordered to leave the house.

NEW GRAND JURY.

The grand jury was drawn before the Superior Court, sitting on banc this morning, Arthur Schwindler and Sidney Jarvis, the two train-robbing suspects being present, but though their names are not excepted, the body was composed as follows: F. C. Hornby, foreman; Warren Weaver, Horace Slater, W. H. Wright, A. P. Nelson, M. H. Farnsworth, F. W. Phillips, Henry Wilson, A. D. Spring, L. D. Hough, M. D. Easton, R. E. McGuinness, C. M. Hill, F. H. Clock, Henry Albert, G. W. Prescott, John Anderson, Sr., N. L. May, James McGregor.

VICTIM OF AN ACCIDENT.

The funeral of Mrs. Lillian Anderson, who died last evening from injuries sustained by falling down the stairs at the home of her daughter, Mrs. Jonas Wood, will take place Tuesday afternoon at 2 o'clock from the residence of Mr. and Mrs. E. D. Bobbitt. The death was the result of the late Dr. Adams, at one time a prominent physician of Colton, who

died there in 1890. Of the family but three daughters now remain, Mrs. E. H. Rogers, Mrs. Jones Wood and Mrs. H. C. Butler.

SAN BERNARDINO BREVITIES.

A suit to recover \$350 on a note, and compound interest at 8 per cent, from March, 1904, has been filed in the Superior Court by the First National Bank of Ontario against J. W. Boyd and L. D. Davis.

Articles of incorporation have been recorded for the California Gem Mining Company, capital stock, \$500,000, with \$25 subscribed. The stockholders are W. J. Buchanan, M. R. McAlister, E. M. Ezard, L. P. Stewart and J. E. Little.

The will of Katherine Otto, late wife of Judge G. E. Otto, who died at Redlands, and his son, John, was filed for probate yesterday. The estate is valued at \$10,000, and is left to his wife.

The Bryan Maw, Orange Growers' Association, incorporated, with a capital stock of \$5000. The stockholders are W. J. Buchanan, M. R. McAlister, E. M. Ezard, L. P. Stewart and J. E. Little.

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ARIZONA
A NTI-GAMBLING CRUSADE IS ON.

ITS INFLUENCE FELT IN LATE TUCSON ELECTION.

Gaming Industry to be Wiped Out in Territory—Railroad Surveyors Busy—Yaqus Being Deported from Sonora—Harcourt Still in Jail—Sundry Killings.

SPECIAL CORRESPONDENCE OF THE TIMES: TUCSON (Ariz.) Dec. 17.—The triumph of the Democratic ticket in the latest gubernatorial election in Arizona is no means an indication of local Democratic strength. The town is really Republican by a considerable majority, but the public has given crooked gambling methods through investigation into the career of Gambler Ezra Bartlett, and diamond swindler Harcourt, has given a blow to the industry against the industry of the green cloth. The majority of L. H. Manning for Mayor was 159 votes, in a total of 1295. Democrats admit that at least 200 Republicans voted for Manning, because of his outspoken denunciation in favor of the suppression of gambling. A movement is now on foot to include Sunday closing, also in the programs of improvement, but it is not yet decided that this will carry. Of the eight offices to be filled, Republicans will occupy three. The list of victors stands: Mayor, L. H. Manning (Dem.); Councilman-at-large, John C. (Dem.); Councilman First Ward, F. E. Adams (Rep.); Councilman Second Ward, F. J. Trippel (Dem.); Marshal, J. S. Hodges (Rep.); Recorder, J. E. Green (Dem.); Assessor, James F. Finn (Dem.); Treasurer, W. C. Dunn (Rep.). The anti-gambling crusade is spreading throughout Arizona. It is proposed to introduce a bill in the legislature by the passage of a bill in Congress prohibiting gambling in the Territories. This bill was prepared by ex-Gov. Hughes, who is now in Tucson. Sen. Sun, who is reported to have positive assurance from the chairman of the House Committee on Territories that the bill will be passed during this short session.

It is reported that the new Baybridge of the Senate Committee on Territories is warmly in favor of the measure, and that during his visit of last year to Arizona he gained much information in regard to the games of chance.

HOT GRAND JURY REPORT.

The grand jury of Gila county has contributed another hot report to the number lately supplied to Arizona District courts. It states that Globe officers are far from efficient. One paragraph reads: "We highly commend First Sgt. William Sparks of the Rangers, for his efforts in trying to enforce law, and we recognize the fact that he has been heavily handicapped in his efforts by lack of men and other officers, whose duty it is to prosecute and punish those who violate the law." It has been found that low dwelling houses, which in decentable houses have been allowed to stand, inhabited by the. The jail and courthouse were found in a deplorable condition, and it is recommended that immediate action be taken for the erection of a new courthouse.

MORE RAILROAD SURVEYS.
Both the Southern Pacific and El Paso and Southwestern railroads appear to be working out plans for building railroads through the eastern part of Arizona into Colorado, each passing through Clifton. A dozen surveying parties are now working north and south in a country through which it will be extremely hard to find reasonable grades. Another report is that the Santa Fé has two surveying parties working from Globe toward the east. Between Clifton and the Santa Fé main line lie great bodies of timber, as well as considerable lignite coal, much of the coal found around Gallup.

DEPORTING YAQUIS.

It appears as though the Mexican government had entered upon a plan of deporting absolutely every Yaqui in the State of Sonora. More than one hundred thousand of the Indians were taken last week to Guaymas, thence to be sent down the coast to one of the southern ports of the republic and never again to return. The horses provided for them in Yucatan. The Indians seem to be making no organized resistance, but many small depredations and a number of isolated murders have been committed. The Indians are by far the most warlike among the aboriginal tribes of the Southwest, and are relied upon by Mexican mine owners and farmers. A raid by the Yaqui will be continually. The Yaqui will not do so, and as a leader the Yaqui is far more effective.

HARCOURT STILL IN JAIL.

J. E. Harcourt, brought from Los Angeles to answer to a charge of swindling a local merchant in a diamond deal, is still an inhabitant of the Tombs. He has been given no consideration than any other person, though he refuses to mix with the other inmates, and remains silent. Harcourt has been here for several days, and all attempts have been made to interview him, but absolutely without success.

FIGHT AT SILVER BELL.

Particulars of the fight last Monday at Silver Bell camp show that Jim Fagan, a miner, took possession of the camp, and started war on the Mexican population. With six men he managed to put five individuals, three armed with a pump gun, he held the field against all comers. In the melee one Mexican was killed, two were mortally wounded, and two, including the winged and William Crovel, bartender in the saloon where the trouble started, was badly wounded. Murillo, the one-legged Mexican, had been resting in a room. The trouble appears to have originated with a half-breed named Bennett, who started Fagan with his deadly work by shooting at him, to the great bullets narrowly missing their object.

MORE TRAGEDIES.

Edward Coones, a miner, was as-

saulted by some unknown individual, near Bisbee, last Tuesday night, knocked down with a club, and then thrown into a abandoned, partially thirty feet in depth. Though terribly injured, he will probably recover.

Antonio Juarez was fatally injured

by a preternatural blast at Buckeye Camp, on Dec. 15.

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